

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

Civil No. 04-5291  
Criminal No. 02-50051-002

MARIO FLAMENCO

DEFENDANT

O R D E R

Now on this 23rd day of February, 2006, comes on for consideration the **Magistrate Judge's Report and Recommendation** (document #103), in this matter, to which no objections have been made, and the Court, having carefully reviewed said Report and Recommendation, finds that it is sound in all respects, and that it should be adopted *in toto*.

**IT IS THEREFORE ORDERED** that the **Magistrate Judge's Report and Recommendation** is adopted *in toto*.

**IT IS FURTHER ORDERED** that, for the reasons stated in the Magistrate Judge's Report and Recommendation, **Flamenco's § 2255 motion is denied and dismissed with prejudice.**

/s/Jimm Larry Hendren  
HON. JIMM LARRY HENDREN  
UNITED STATES DISTRICT JUDGE